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In re Application of KIM :
U.S. Application No.: 10/564,561 :
PCT Application No.: PCT/KR2004/001733 :
Int. Filing Date: 13 July 2004 : COMMUNICATION
Priority Date Claimed: 14 July 2003 :
Attorney Docket No.: 53200.830003.US0 :
For: METHOD FOR ONLINE MANAGEMENT :
OF MEDICAL RECORD FORMS :

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 13 July 2004, applicant filed international application PCT/KR2004/001733, which claimed priority of an earlier Korea application filed 14 July 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 20 January 2005. The thirty-month period for paying the basic national fee in the United States expired on 14 January 2006.

On 12 January 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 30 May 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 30 November 2006, applicant filed an executed declaration.

On 15 October 2008, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to timely respond to the Notification of Missing Requirements.

DISCUSSION

The executed declaration was timely filed. Thus, the Notification of Abandonment was sent in error.

CONCLUSION

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 15 October 2008 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 13 July 2004, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 30 November 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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